

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission) Docket No. 911-010.2
on its own motion, to establish)
the policy regarding required) ORDER AMENDING FORM FOR
quarterly submissions from) QUARTERLY SUBMISSIONS AND
wireless carriers.) REQUIRING RECORD RETENTION
)
) Entered: August 5, 2008

BY THE COMMISSION:

O P I N I O N S A N D F I N D I N G S

Pursuant to the Enhanced Wireless 911 Services Act, Neb. Rev. Stat. §§ 86-442 through 86-469 (2006 Cum. Supp.) (the Act), the Commission established a policy in an order dated March 30, 2004, outlining submissions required to be made by wireless carriers to the Commission on a quarterly basis. Additionally, the Nebraska Legislature enacted LB 1222 [2006] amending Neb. Rev. Stat. § 86-459(2) to specifically require wireless carriers to report on a quarterly basis the following to the Commission:

((a) The number of telephone numbers or functional equivalents served; (b) the telephone numbers or functional equivalents from which it has collected surcharge revenue; (c) the number of wireless towers by county; and (d) the current implementation status of enhanced wireless 911 service in each county served by that wireless carrier.

This information is necessary for the development of statewide implementation of enhanced wireless 911 service and will be necessary for the implementation of a funding mechanism pursuant to LB 1222 [2006].

In order to establish uniformity in the submission and to render the information more useful to the Commission consistent with the terms of § 86-459, a form was developed for the reporting of subscriber count information and approved on June 13, 2006. The Commission has found that certain changes to the form are necessary. Therefore, the previously approved form has been amended and is attached hereto as Appendix A and incorporated herein by this reference.

The Commission finds that all wireless carriers, regardless of whether they receive funding from the Fund, shall submit the information required in § 86-459 and the March 30, 2004 order in Docket No. 911-010, using the attached form effective immediately.

The form will also be made available on the Commission website. Approval of the form will be incorporated into a future rule and regulation procedure. The form shall be submitted in an electronic form.

Failure to provide the requested information in a timely fashion and in the appropriate format may result in fines pursuant to Neb. Rev. Stat. § 86-459(5) (2006), denial of funding from the Fund or delays in processing of funding requests.

Furthermore, the Commission finds that all wireless carriers shall retain supporting documentation for each quarterly submission for a period of five (5) years, for auditing purposes.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that all wireless carriers, regardless of whether they receive funding from the Enhanced Wireless 911 Fund, shall submit the information required by Neb. Rev. Stat. § 86-459 (2006) and the March 30, 2004 order in Docket No. 911-010, using the attached amended form in an electronic form.

IT IS FURTHER ORDERED that failure to provide the requested information in a timely fashion and in the appropriate format may result in fines pursuant to Neb. Rev. Stat. § 86-459(5) (2006), denial of funding from the Fund or delays in processing of funding requests.

IT IS FINALLY ORDERED that all carriers shall retain supporting documentation for each quarterly submission for a period of five (5) years.

MADE AND ENTERED at Lincoln, Nebraska, this 5th day of August, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director